

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Li et al.  
Docket No.: 275.0003 0102

01-08-02

*2*  
*Box* *seg*

Title: **COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF GENE EXPRESSION**  
**USING DOUBLE STRANDED RNA**



01/04/02

Assistant Commissioner for Patents  
ATTN: Box **PATENT APPLICATION**  
Washington, D.C. 20231

JC332 U.S. PTO  
**10/038984**  
01/04/02

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ Copy of **UTILITY PATENT APPLICATION** including:
  - ☒ Specification (46 consecutively numbered pgs, including 61 claims on 8 pgs, and a 1pg Abstract);
  - ☒ Drawings (13 Figures on 9 sheets);
  - ☒ A copy of a signed Declaration and Power of Attorney (8 pgs).
- ☒ Application Data Sheet (4 pgs).
- ☒ An itemized return postcard.
- ☒ Preliminary Amendment (3 pgs, including Appendix (1 pg)).
- ☒ Communication Requesting Entry of Sequence Listing (2 pgs), Computer readable form of "Sequence Listing" (one disk) and paper copy of "Sequence Listing" (8 pgs). Applicants state that the paper copy form of the "Sequence Listing" section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Other: Request for Filing a Continuation Application Under Rule § 1.53(b) (3 pgs).
- ☒ Please charge Deposit Account No. 13-4895 in the amount of \$ 991 for the application filing fee, which is calculated below:

☒ **Small Entity Status is entitled to be asserted in the above-identified application.**

APPLICATION FILING FEE						
	Number of Pending Claims (1)	Claims Included in Basic Filing Fee (2)	Number of Extra Claims (1-2)	Cost per Extra Claim	Fee Required	
Total Claims	61	20	41	x \$9 =	369	
Independent Claims	9	3	6	x \$42 =	252	
One or More Multiple Dependent Claims Presented? If Yes, Enter \$140 Here →					0	
Enter Basic Filing Fee (Utility Patent \$370) Here →					370	
<b>Total Application Filing Fee</b>					<b>991</b>	

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. **13-4895**. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.  
Customer Number: **26813**

By: David L. Provence  
Name: David L. Provence  
Reg. No.: 43,022  
Direct Dial: 612-305-1006  
Facsimile: 612-305-1228

**CERTIFICATE UNDER 37 CFR §1.10:**

"Express Mail" mailing label number: EL 888274043 US

Date of Deposit: January 4, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box **PATENT APPLICATION**, Washington, D.C. 20231.

By: Gara Ladwig  
Name: Gara Ladwig

(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC932 U.S. PTO  
10/038984  
01/04/02

Docket Number	Anticipated Classification		Prior Application	
275.0003 0102	Class	Subclass	Examiner J. Kerr	Art Unit 1633

REQUEST FOR FILING A CONTINUATION APPLICATION  
UNDER RULE §1.53(b)

Assistant Commissioner for Patents  
Attn: Box PATENT APPLICATION  
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 CFR §1.53(b) of Serial No. 09/493,301, Confirmation No. 2058 filed on January 28, 2000, entitled COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO* ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA, which claims priority to U.S. Serial No. 60/117,635 filed on January 28, 1999, entitled DOUBLE STRANDED RNA BLOCKS SPECIFIC GENE EXPRESSION IN MULTICELLULAR SETTINGS IN *IN VIVO* AND *IN VITRO*, and U.S. Serial No. 60/175,440 filed on January 11, 2000, entitled DOUBLE STRANDED RNA BLOCKS SPECIFIC GENE EXPRESSION IN MULTICELLULAR SETTINGS IN *IN VIVO* AND *IN VITRO*, by the following inventors (name, address, and citizenship):

Yin-Xiong Li  
816 Marilee Glen Court  
Durham, NC 27705  
Citizenship: People's Republic of China

Michael J. Farrell  
7043 Laramie Avenue  
Canoga Park, CA 91306  
Citizenship: U.S.A.

Margaret L. Kirby  
223 Fleming Drive  
Durham, NC 27712  
Citizenship: U.S.A.

1.   X   Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2.        Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior

Filed: ON EVEN DATE HEREWITH

Title: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA

application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.

3. X Enclosed is a copy of the Declaration and Power of Attorney filed in the prior application.
4.    Enclosed is a newly executed Declaration and Power of Attorney.
5.    Enclosed are drawings (   sheets).
6.    Cancel in this application claims    before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
7. X A preliminary amendment is enclosed.
8. X The filing fee is calculated below:

CLAIMS AS FILED			
NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$370
Total Claims 61-20 =	41	\$9	\$369
Independent Claims 9-3 =	6	\$42	\$252
MULTIPLE DEPENDENT CLAIM PRESENTED		\$140	\$0
FILING FEE:			\$991

9. X The Commissioner is hereby authorized to charge the application filing fee in the amount of \$991 to Account No. 13-4895.
10. X The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11.    This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
12.    Amend the specification by inserting as the first sentence on page 1, the following: -- This is a continuation of application Serial No.   , filed   , (pending/issued/abandoned), which is incorporated herein by reference.--

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Title: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED RNA

13. ☐ Priority of foreign application Serial No. \_\_\_, filed on \_\_\_ in (country) \_\_\_ is claimed under 35 U.S.C. §119.
14. ☒ The prior application is assigned of record to Medical College of Georgia Research Institute, Inc.
15. ☒ The Power of Attorney in the prior application is to:

**Victoria A. Sandberg**  
Muetting, Raasch & Gebhardt, P.A.  
P.O. Box 581415  
Minneapolis, MN 55458-1415  
**Customer Number 26813**

16. ☒ Small Entity Status is entitled to be asserted in the above-identified application.

Address all future communications to:

MUETING, RAASCH & GEBHARDT, P.A.  
P.O. Box 581415  
Minneapolis, Minnesota 55458-1415  
**Customer Number 26813**

Attn: David L. Provence  
(Telephone: 612-305-1220)  
(Facsimile: 612-305-1228)

Date:

January 4, 2002

David L. Provence

David L. Provence  
Reg. No. 43,022  
Direct Dial (612) 305-1005

"Express Mail" mailing label number EL 888274043 US

Date of Deposit January 4, 2002

I hereby certify that this paper and/or fee is/are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PATENT APPLICATION, Washington, D. C. 20231.

Name: Gara Ladwig

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Li et al. ) Group Art Unit: 1633  
) (prior application)  
Serial No.: Unassigned )  
(Parent: 09/493,301 ) Examiner: J. Kerr  
) (prior application)  
Filed: Herewith )  
(Parent: January 28, 2000 ) )  
For: COMPOSITION AND METHOD FOR *IN VIVO* AND *IN VITRO*  
ATTENUATION OF GENE EXPRESSION USING DOUBLE STRANDED  
RNA

COMMUNICATION REQUESTING ENTRY OF SEQUENCE LISTING

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §1.821 et seq., a computer readable form (CRF) and written Sequence Listing for the above-captioned application are submitted herewith. Applicants request entry of same into the specification.

In accordance with 37 C.F.R. §1.821 et seq., it is respectfully submitted that the written Sequence Listing and the Computer readable form of the Sequence Listing are identical. It is further submitted that Sequence Listing does not contain new matter.

**Communication Requesting Entry of Sequence Listing**

Page 2 of 2

Serial No.: Unknown

Confirmation No.: Unknown

Filed: HERewith

For: COMPOSITION AND METHOD FOR IN VIVO AND IN VITRO ATTENUATION OF GENE EXPRESSION  
USING DOUBLE STRANDED RNA

The Examiner is invited to contact Applicants' Representatives at the below-listed telephone number if prosecution of this application may be assisted thereby.

Respectfully submitted for

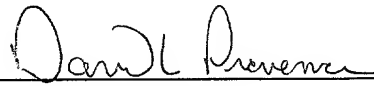
Li et al.

By  
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P.O. Box 581415  
Minneapolis, MN 55458-1415  
Phone: (612)305-1220  
Facsimile: (612)305-1228  
**Customer Number 26813**

January 4, 2002

Date

By:



David L. Provence

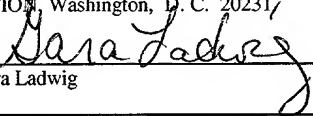
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Name: Gara Ladwig